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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 ROBERT L. COPE,

12 Plaintiff,

13 vs.

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15 MICHAEL J. ASTRUE, Commissioner of  
16 Social Security,

17 Defendant.

CASE NO. 09-CV-225-JM (WVG)

**ORDER ADOPTING REPORT  
AND RECOMMENDATION  
DENYING PLAINTIFF'S  
MOTION FOR SUMMARY  
JUDGMENT AND GRANTING  
DEFENDANT'S CROSS-  
MOTION FOR SUMMARY  
JUDGMENT**

Doc. Nos. 16, 18

18 On August 31, 2010, Magistrate Judge William V. Gallo entered a Report and  
19 Recommendation in the above-entitled case that thoroughly and thoughtfully analyzed the  
20 claims of both parties and recommended denying Plaintiff's motion for summary judgment and  
21 granting Defendant's cross-motion for summary judgment. (Doc. No. 19.) Having carefully  
22 considered the Report and Recommendation, the record before the court, and the appropriate  
23 legal authorities, and in the absence of any objections to the Report and Recommendation, the  
24 court hereby ADOPTS the Report and Recommendation in its entirety.

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1           Accordingly, the court hereby DENIES Plaintiff's motion for summary judgment (Doc.  
2 No. 16) and GRANTS Defendant's cross-motion for summary judgment (Doc. No. 18). The  
3 Clerk of the Court is instructed to close the file.

4           **IT IS SO ORDERED.**

5 DATED: September 23, 2010

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7 Hon. Jeffrey T. Miller  
United States District Judge